

Lin B.

LEWIS AND ROCA LLP

Attorneys for USACM Liquidating Trust

In re:

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR
Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

Date: April 26, 2007

Time: 9:30 a.m

Affecting:

☐ All Cases

or Only:

☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

**ORDER SUSTAINING TWENTY-FIFTH OMNIBUS OBJECTION OF THE
USACM LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS**

The USACM Liquidating Trust (the "USACM Trust") filed its Twenty-Fifth Omnibus Objection to Claims Asserting Secured Status [DE 3183] (the "Objection") on March 20, 2007. Appropriate notice of the Objection was given. No responses were filed with this Court. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m. Good cause appearing, it is

ORDERED:

- Sustaining the USACM Trust's Twenty-Fifth Omnibus Objection to Claims Asserting Secured Status;
- Reclassifying the Proofs of Claim listed on Exhibit A attached as general unsecured claims; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on Exhibit A attached as unsecured claims or otherwise, whether or not the subject of this Objection.

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PREPARED AND SUBMITTED:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
 - ☐ approved the form of this order;
 - ☐ waived the right to review the order;
 - ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
 - ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☒ No opposition was filed and no other party or counsel appeared at the hearing.

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

25th Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims

	<u>Claimant</u>	<u>Proof of Claim Number</u>	<u>Date Filed</u>	<u>Proof of Claim Amount</u>	<u>Proof of Claim Classification</u>
1	Priscilla M Guptail & Priscilla K Addy Po Box 9550 Bend, OR 97708-9550	10725-02238	1/12/2007	\$50,000.00	S
2	Quinn, Edward & Darlene 660 Nw Brookhaven Dr Lee's Summit, MO 64081	10725-00076	7/10/2006	\$156,388.48	S U - Unknown
3	Quinn, Edward & Darlene 660 Nw Brookhaven Dr Lee's Summit, Mo 64081	10725-00080	7/12/2006	\$156,388.48	S U - unknown
4	Quinn, Sydney PO Box 340 Biq Pine, CA 93513-0340	10725-01624	12/8/2006	\$4,673.80	S
5	R & S Roloff Trust Dtd 9/20/03 Rodney L & Sharyn A Roloff Ttees Joshua D Brysk Law Offices Of James G Schwartz 7901 Stoneridge Dr, Ste 401 Pleasanton CA 94583	10725-00144	8/15/2006	\$171,250.00	S
6	R E Schneider & P I Pratt Revocable Trust 3424 Herring Gull Ln North Las Vegas, NV 89084-2424	10725-00835	10/30/2006	\$80,000.00	S
7	R L Allgeier Family Trust Robert Allgeier 1767 Shamrock Cir Minden, NV 89423	10725-02176	1/12/2007	\$430,473.09	S
8	R&D Filkin Trust Dated 9/26/90 C/O Roy Filkin & Dianna L. Filkin, Ttees 2340 Watt St. Reno, NV 89509-4248	10725-00681	10/20/2006	\$100,000.00	S
9	Raggi, Dennis Po Box 10475 Zephvr Cove, Nv 89448	10725-02226	1/12/2007	\$2,442,034.35	S,U
10	Raggi, Dennis PO Box 10475 Zephvr Cove, NV 89448-2475	10725-01881	1/8/2007	\$124,900.62	S, U
11	Raichbart, Michael Joshua D Brysk Law Offices Of James G Schwartz 7901 Stoneridge Dr, Ste 401 Pleasanton, CA 94583	10725-00138	8/15/2006	\$150,000.00	S
12	Rains Properties Lp Donna M Osborn Esq 10001 Park Run Dr Las Vegas, NV 89145	10725-00711	11/7/2006	\$350,000.00	S

13	Rains Properties Lp Donna M Osborn Esq Marquis & Aurbach 10001 Park Run Dr Las Vegas, NV 89145	10725-00705	11/7/2006	\$250,000.00	S
14	Rains Properties Lp Donna M Osborn Esq Marquis & Aurbach 10001 Park Run Dr Las Vegas, NV 89145	10725-00706	11/7/2006	\$250,000.00	S
15	Rains Properties Lp Donna M Osborn Esq Marquis & Aurbach 10001 Park Run Dr Las Vegas, NV 89145	10725-00708	11/7/2006	\$300,000.00	S
16	Rains Properties Lp Donna M Osborn Esq Marquis & Aurbach 10001 Park Run Dr Las Vegas, NV 89145	10725-00709	11/7/2006	\$350,000.00	S
17	Rains Properties Lp Donna M Osborn Esq Marquis & Aurbach 10001 Park Run Dr Las Vegas, NV 89145	10725-00712	11/7/2006	\$200,000.00	S
18	Rains Properties Lp Donna M Osborn Esq Marquis & Aurbach 10001 Park Run Dr Las Vegas, NV 89145	10725-00713	11/7/2006	\$150,000.00	S
19	Raker Ttee Of The Richard M Raker Living Trust, Richard M 982 Shoreline Dr San Mateo, CA 94404	10725-02188	1/12/2007	\$262,420.15	S, U
20	Ramsey, Aaron & Lara 7713 N 41St St Niwot, CO 80503	10725-01132	11/9/2006	\$37,005.78	S
21	Ramsey, Aaron S & Lara 7713 N 41St St Niwot, Co 80503	10725-01133	11/9/2006	\$37,005.78	S
22	Ramsey, Aaron S & Lara 7713 N 41St St Niwot, CO 80503	10725-02152	1/12/2007	\$38,259.00	S, U
23	Raoch, Blair E & Barbara K PO Box 1238 Zephyr Cove, NV 89448-1238	10725-02294	1/12/07	\$100,000.00	S, P
24	Rausch, Lawrence 10708 Brinkwood Ave Las Vegas, NV 89134-5245	10725-01230	11/10/2006	\$91,467.00	S

25	Rausch, Lawrence 10708 Brinkwood Las Vegas, Nv 89134	10725-00378	10/2/2006	\$49,212.02	S
26	Rausch, Lawrence 10708 Brinkwood Las Vegas, NV 89134	10725-01228	11/10/2006	\$44,812.00	S
27	Rausch, Lawrence 2605 E Flamingo Rd Las Vegas, NV 89121	10725-01223	11/10/2006	\$50,599.83	S
28	Rbr Partnership Po Box 376 Indian Springs, NV 89018-0376	10725-01954	1/12/2007	\$55,381.90	S
29	Rbr Partnership Po Box 376 Indian Springs, NV 89018-0376	10725-02319	1/13/2007	\$55,381.90	S
30	RDJ Investments Richard Anderson Manager 7417 Oak Grove Las Vegas, NV 89117	10728-00130	11/17/2006	\$200,000.00	S
31	Reardon IRA, James E 120 S Main St Mansfield, MA 02048-2529	10725-00395	10/2/2006	\$22,894.00	S
32	Rebecca A Rogers Trust Dtd 9/18/96 Rebecca A Rogers Trustee 2309 Sierra Heights Dr Las Vegas, NV 89134	10725-01910	1/10/2007	\$274,442.59	S, U
33	Reber Family Trust C/O John J Reber Trustee Po Box 570032 Las Vegas, Nv 89157-0032	10725-00571	10/12/2006	\$2,702.18	S
34	Reber, John Po Box 570032 Las Vegas, NV 89157	10725-00568	10/12/2006	\$50,000.00	S
35	Redmon, Donald 51 Sanlo Ln Mountain Home, AR 72635	10725-00472	10/6/2006	\$50,824.65	S
36	Reed IRA, Linda S 259 Overlook Dr Cadiz, KY 42211-8185	10725-01668	12/11/2006	\$77,000.00	S
37	Reed IRA, Michael 259 Overlook Dr Cadiz, KY 42211-8185	10725-01692	12/11/2006	\$50,000.00	S
38	Rehberger Family Trust Dtd 6/17/92 Annemarie Rehberger Trustee PO Box 3651 Incline Villaae, NV 89450	10725-01778	12/13/2006	\$50,000.00	S

39	Rehberger Family Trust Dtd 6/17/92 C/O Annemarie Rehberger Trustee PO Box 3651 Incline Village, NV 89450-3651	10725-01781	12/13/2006	\$50,000.00	S
40	Rehberger Family Trust Dtd 6/17/92 C/O Annemarie Rehberger PO Box 3651 Incline Village, NV 89450	10725-01779	12/13/2006	\$50,000.00	S
41	Rehberger Family Trust Dtd 6/17/92 C/O Annemarie Rehberger PO Box 3651 Incline Village, NV 89450	10725-01780	12/13/2006	\$50,000.00	S
42	Rehberger Family Trust Dtd 6/17/92 C/O Annemarie Rehberger PO Box 3651 Incline Village, NV 89450	10725-01782	12/13/2006	\$50,000.00	S
43	Rehn Ira, Thomas 15405 W Robertson Dr Sun City West, Az 85375-3038	10725-01337	11/13/2006	\$136,645.00	S
44	Rehn, Thomas 2605 E Flamingo Rd Las Vegas, Nv 89121	10725-01338	11/13/2006	\$136,645.00	S
45	Reiner Roth IRA, Robert J 4643 Cordoba Way Oceanside, CA 92056-5105	10725-00435	10/4/2006	\$29,961.29	S
46	Reno Aeronautical Corp Defined Benefit Plan C/O Richard R Tracy Trustee Po Box 1404 Carson City, NV 89702-1404	10725-02283	1/12/2007	\$228,361.12	S, U
47	Rhoades Passive Investments Llc 3385 Meridian Ln Reno, NV 89509-3841	10725-00216	9/25/2006	\$110,199.98	S
48	Rhoda Dybvig Schaefer Revocable Living C/O Rhonda Dybvig Schaefer Ttee 678 Skyline Rd Henderson, NV 89002	10725-01091	11/7/2006	\$51,742.42	S